

UNITED STATES PATENT & TRADEMARK OFFICE

Examiner:	Holleran, Anne L.	Art Unit:	1643
Re:	Application of:	WAKSAL, Harlan W.	
	Serial No.:	09/996,954	
	Filed:	November 30, 2001	
	For:	TREATMENT OF REFRACTORY HUMAN TUMORS WITH EPIDERMAL GROWTH FACTOR RECEPTOR ANTAGONISTS	
	Confirmation No.:	3116	

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

November 20, 2007

Sir:

Further to the Information Disclosure Statement submitted on October 6, 2003 and pursuant to M.P.E.P. §609 and 37 C.F.R. §§1.56 and 1.97-1.99, Applicants herewith submit form PTO/SB/08a, which lists references of which Applicants are aware for the present application.

Copies of the references made part of the file history of related US Patent Application Serial Nos. 11/018,950, 09/840,146 and 09/312,284 by applicants and the Examiner have not been enclosed herewith as hard copy. The Examiner is respectfully referred to the file of the previously noted patent applications for those copies.

The Examiner's attention is also respectfully directed to the fact that a petition for invalidation has been filed against co-owned granted people's Republic of China Patent No. ZL00810321.6 that is analogous to the instant patent application. A copy of the English language translation of the petition for invalidation is listed as reference 21, under non-patent references. The Examiner is respectfully referred to the file of US Patent Application No. 11/018,950 for this reference.

This submission does not represent that a search has been made or that no better art exists. While the term "references" is used in citing the documents called to the Examiner's attention herein, Applicants do not make any admission that each or all of them are "prior art" references within the meaning of the statutory and case law.

Applicants reserve the right to contend, where appropriate, that a reference asserted against any claim of the present application is not prior art under the facts and the law.

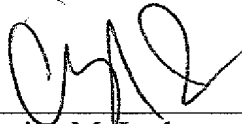
Applicants also reserve the right to present appropriate arguments and/or evidence to establish patentability over the references, should one or more of the references be applied against the claims of the present application.

Applicants request that the Examiner independently determine those items which the Examiner would consider the most pertinent of all the references cited herein.

This Supplemental Information Disclosure Statement is filed before the mailing of any of a final action under §1.113, a notice of allowance under §1.311, or an action that otherwise closes prosecution in the application. The \$180.00 fee set forth in 37 C.F.R. 1.17(p) is being charged to the undersigned's credit card. Any deficiency or overpayment should be charged or credited to Deposit Account No. 02-2275. Accordingly, this document complies with the requirements of 37 C.F.R. Section 1.97(c). It is respectfully requested that the reference cited in the accompanying form PTO-1449 be considered and made of record.

Respectfully submitted,

LUCAS & MERCANTI, LLP



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